

**Federal Defenders
OF NEW YORK, INC.**

Southern District
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July 2, 2020

By ECF

Honorable John F. Keenan
United States District Judge
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: *United States v. Kevin Prince*, 11 Cr. 663 (JFK); 16 Civ. 4711 (JFK)

Dear Judge Keenan:

I write pursuant to the Court's June 5, 2020 Order (Dkt. No. 200) to inform the Court that Mr. Prince has voluntarily dismissed his motion to vacate under 28 U.S.C. § 2255. *See* 16 Civ. 4711, Dkt. No. 10. Please note that because of the COVID-19 pandemic, Mr. Prince was unable to sign the notice of voluntary dismissal himself, but provided consent for me to sign on his behalf. I have appended his consent, which was provided by e-mail, to the filed notice of voluntary dismissal.

Respectfully submitted,

/s/

Martin S. Cohen
Ass't Federal Defender
(212) 417-8737

cc: Michael D. Maimin, Esq., by ECF
Mr. Kevin Prince, Canaan USP Register Number 68530-054

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X 16 Civ. 4711 (JFK)
Kevin Prince 11 Cr. 663 (JFK)

Petitioner,

v.

United States of America,

Respondent.

-----X

NOTICE OF VOLUNTARY DISMISSAL

Please take notice, pursuant to Fed. R. Civ. P. 41(a)(1)(A)(i), that this action, filed under 28 U.S.C. § 2255, is hereby dismissed by Petitioner in its entirety.

Respectfully submitted,

Kevin Prince by Martin Cohen

Kevin Prince

Petitioner

Martin Cohen

Martin S. Cohen

Assistant Federal Defender

Federal Defenders of New York, Inc.

52 Duane Street, 10th Floor

New York, New York 10007

(212) 417-8737

Counsel for Petitioner

Martin Cohen

From: PRINCE KEVIN (68530054)
Sent Date: Tuesday, June 30, 2020 1:35 PM
To: martin_cohen@fd.org
Subject: RE: RE: Checking In

GOODDAY MR.Cohen," i never received the notice"... " YES I KEVIN PRINCE AM GIVING YOU CONSENT TO SIGN MY VOLUNTARY DISMISSAL ON MY BEHALF ".PLEASE TAKE OUT A MOMENT AND CONTACT ME WHEN THIS ACTION TAKE'S PLACE.THANK YOU.

-----Cohen, Martin on 6/30/2020 11:21 AM wrote:

>

Mr. Prince: Did you receive the dismissal notice ? Were you able to send it back? Either way, can you please give me your consent to sign the voluntary dismissal on your behalf:

It reads as follows:

NOTICE OF VOLUNTARY DISMISSAL

Please take notice, pursuant to Fed. R. Civ. P. 41(a)(1)(A)(i), that this action, filed under 28 U.S.C. section 2255, is hereby dismissed by Petitioner in its entirety.

Thanks,

-Martin

KEVIN PRINCE on 6/8/2020 2:49:38 PM wrote

HI,MR COHEN...IM NOW SEEING THIS MESSAGE,THIS JAIL HAS BEEN ON LOCKDOWN DUE TO THE PROTESTING THATS BEEN GOING ON,TODAY IS THE FIRST DAY WE BEEN BACK OUT THE CELL'S...YES PLEASE TAKE OUT A MOMENT AND RE-SEND ME THE MOTION SO I CAN SIGN IT TO WITHDRAW MY 2255.THANK YOU.-KEVIN PRINCE

-----Cohen, Martin on 6/4/2020 6:21 PM wrote:

>

Mr. Prince: I hope you're doing okay in the midst of all this craziness. Judge Keenan asked about the status of the habeas motion. Did you ever send back the request to withdraw the motion? Do you need me to send it again?

Thanks,

-Martin Cohen